

which is on file with the Commission and open to public inspection. The filing may also be viewed on the Web at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (866) 208-3676 or TTY, (202) 502-8659.

Specifically, South proposes to construct, own, and operate one new compressor unit at its existing compressor station near Clarence, Louisiana. This additional compression unit is designed to enhance Gulf South's capability in order to provide the firm transportation service which BG Energy Merchants, LLC has requested.

Any questions regarding the application should be directed to M.L. Gutierrez, Director of Regulatory Affairs, Boardwalk Pipeline Partners, LP, 9 Greenway Plaza, Suite 2800, Houston, Texas 77046, by telephone at (713) 479-8059, or by facsimile at (713) 479-1846, or by e-mail at [nell.gutierrez@bwpmlp.com](mailto:nell.gutierrez@bwpmlp.com).

Any person may, within 60 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention. Any person filing to intervene or the Commission's staff may, pursuant to section 157.205 of the Commission's regulations under the NGA (18 CFR 157.205) file a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.

The Commission strongly encourages electronic filings of comments, protests, and interventions via the internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "e-Filing" link.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2010-17104 Filed 7-13-10; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL10-63-000]

#### **EnerNOC, Inc. v. FirstEnergy Corp.; Notice Requiring Protective Order and Establishing Answer Date**

July 8, 2010.

On April 30, 2010, EnerNOC, Inc. (EnerNOC) filed a Complaint in this proceeding naming FirstEnergy Corp. (FirstEnergy) as the respondent (April 30 Complaint). On May 11, 2010, EnerNOC, Inc. and FirstEnergy (collectively, the Parties) filed an expedited joint motion to suspend the answer date (Joint Motion), noting that the Parties were working on a solution that would permit use, in this proceeding, of certain materials subject to protection in an on-going proceeding before the Public Utilities Commission of Ohio.

On May 14, 2010, the Commission issued a notice suspending the answer date in this docket, as requested by the Parties (May 14 Notice). In addition, the Commission informed the Parties that the submission, treatment and/or exchange of privileged information in this proceeding would be subject to the requirements of 18 CFR 385.206(e) and would therefore require the submission of a proposed protective agreement.

On July 1, 2010, EnerNOC submitted a supplemental complaint filing (July 1 Supplemental Complaint Filing), under seal, along with a redacted version. EnerNOC requests that its submission, under seal, be accorded confidential treatment, pursuant to 18 CFR 388.112 (2010). EnerNOC further states that a portion of its confidential submittal (Attachment 2) is a data response subject to an existing protective agreement.

EnerNOC's July 1 Supplemental Complaint Filing does not include a proposed form of protective agreement applicable to this proceeding. As indicated by the May 14 Notice, this is required by 385.2069 (e) of the Commission's regulations. Nor does EnerNOC address the means by which the parties to this proceeding will be entitled to review material submitted under seal, or the extent to which the existing protective agreement addresses this matter. Accordingly, EnerNOC is hereby directed to provide to FirstEnergy and to any other entity (at its request) that has filed a motion to intervene, herein, a proposed form of protective agreement that can be used to obtain an unredacted version of EnerNOC's July 1, 2010 submittal and any other submittal

filed under seal. The Commission will require EnerNOC to provide that protected agreement by July 15, 2010. The time period for filing answers, protests and/or comments on EnerNOC's April 30 Complaint and the July 1 Supplemental Complaint Filing will be extended to August 4, 2010.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2010-17159 Filed 7-13-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### **City of Broken Bow, Oklahoma; Project No. 12470-001—Oklahoma Broken Bow Re-Regulation Dam Hydropower Project; Notice of Revised Restricted Service List for a Programmatic Agreement for Managing Properties Included in or Eligible for Inclusion in the National Register of Historic Places**

July 8, 2010.

On June 8, 2010, the Federal Energy Regulatory Commission (Commission) issued notice of a proposed restricted service list for the preparation of a programmatic agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at the Broken Bow Re-Regulation Dam Hydroelectric Project No. 12470. Rule 2010(d)(1) of the Commission's Rules of Practice and Procedure, 18 CFR section 385.2010 (2009), provides for the establishment of such a list for a particular phase or issue in a proceeding to eliminate unnecessary expense or improve administrative efficiency. Under Rule 2010(d)(4), persons on the official service list are to be given notice of any proposal to establish a restricted service list and an opportunity to show why they should also be included on the restricted service list or why a restricted service list should not be established.

On June 23, 2010, Southwestern Power Administration filed a response to the notice requesting that it be included in the development of the programmatic agreement. On July 2, 2010, the Commission staff received a telephone request from the Oklahoma State Historic Preservation Office (Oklahoma SHPO) that the Caddo Nation be included in the development of the programmatic agreement.

Under Rule 2010(d)(2), any restricted service list will contain the names of each person on the official service list, or the person's representative, who, in the judgment of the decisional authority

establishing the list, is an active participant with respect to the phase or issue in the proceeding for which the list is established. Southwestern Power Administration and the Oklahoma SHPO on behalf of the Caddo Nation have identified an interest in issues relating to the management of historic properties at the project. Therefore, they and their representatives will be added to the restricted service list.

Accordingly, the restricted service list issued on June 8, 2010, for the Broken Bow Re-Regulation Dam Hydroelectric Project No. 12470 is revised to add the following persons:

Robert Cast, Tribal Historic Preservation Officer, Caddo Nation, P.O. Box 487, Binger, OK 73009.

Steven A. Porter, U.S. Department of Energy, 1000 Independence Avenue, SW., 6D-033/FORS, Washington, DC 20585.

James K. McDonald, Southwestern Power Administration, One West Third Street, Suite 1522, Tulsa, OK 74103-3539.

Laurence J. Yadon, II, Southwestern Power Administration, One West Third Street, Suite 1522, Tulsa, OK 74103-3539.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2010-17157 Filed 7-13-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2149-131]

#### Public Utility District No. 1 of Douglas County; Notice of Settlement Agreement and Soliciting Comments

July 7, 2010.

Take notice that the following Settlement Agreement (Settlement) has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Aquatic Settlement Agreement for the relicensing of the Wells Hydroelectric Project.

b. *Project No.:* P-2149-131.

c. *Date Filed:* May 27, 2010.

d. *Applicant:* Public Utility District No. 1 of Douglas County, Washington.

e. *Location:* The existing project is located at river mile 515.6 on the Columbia River in Chelan, Douglas, and Okanogan Counties in central Washington. The project occupies 15.15 acres of Federal land administered by the Department of the Interior and the U.S. Corps of Engineers.

g. Filed Pursuant to Rule 602 of the Commission's Rules of Practice and Procedure, 18 CFR 385.602 Federal Power Act 16 U.S.C. 791 (a)-825(r).

h. *Applicant Contact:* Shane Bickford, Natural Resources Supervisor, Public Utility District No. 1 of Douglas County, 1151 Valley Mall Parkway, East Wenatchee, WA 98802-4497; (509) 881-2208.

i. *FERC Contact:* Kim A. Nguyen (202) 502-6105 or e-mail at [kim.nguyen@ferc.gov](mailto:kim.nguyen@ferc.gov).

j. *Deadline for filing comments on the Settlement:* July 27, 2010. Reply comments due August 6, 2010. All comments should be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "eFiling" link. For a simpler method of submitting text only comments, click on "Quick Comment." For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov); call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and eight copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC.

k. The Public Utility District No. 1 of Douglas County (Douglas PUD) filed an aquatic settlement agreement (Settlement) on behalf of Douglas PUD; U.S. Fish and Wildlife Service; U.S. Bureau of Land Management; Washington Department of Fish and Wildlife; Washington Department of Ecology; Confederated Tribes of the Colville Reservation; and Confederated Bands and Tribes of the Yakama Nation (collectively, the Parties). The Settlement resolves among the Parties all remaining aquatic resource issues and includes proposed license articles and six aquatic resource management plans for white sturgeon, bull trout, Pacific lamprey, resident fish, aquatic nuisance species and water quality. The Parties request that the Commission accept and incorporate, without material modification, all of the proposed license articles in Attachment A of the Settlement in the new project license for the Wells Project.

l. A copy of the Settlement is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "e-Library" link. Enter the docket number, excluding the last three digits in the docket number field to access the

document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

Register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via e-mail of new filings and issuances related to this or other pending projects before the Commission. For assistance, contact FERC Online Support.

**Kimberly D. Bose,**  
Secretary.

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**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2010-0398; FRL-8832-1]

### Methyl Soyate; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has received a specific exemption request from the Wyoming Department of Agriculture to use the pesticide methyl soyate (BIO-LARV) (CAS Reg. No. 67762-38-3) to treat aquatic vegetation to control mosquito larvae. The applicant proposes the use of a new chemical which has not been registered by EPA. EPA is soliciting public comment before making the decision whether or not to grant the exemption.

**DATES:** Comments must be received on or before July 29, 2010.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2010-0398, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- *Delivery:* OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility's normal hours of operation (8:30 a.m. to 4 p.m., Monday through